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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,291	03/29/2000	Toshiyuki Nakagawa	35.C14380	7073

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NEW YORK, NY 10112

EXAMINER

HOSAIN, AKRAM M

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/537,291

Applicant(s)

NAKAGAWA, TOSHIYUKI

Examiner

Akram M Hosain

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 & 3. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 - 36 have been examined.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file dated 3/31/99 (see attachment).

Information Disclosure Statement

3. The references listed in the information disclosure statement submitted on 7/12/00 and 8/24/00 have been considered by examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claim 1-36 are rejected under 35 U.S.C. 102(a) as being anticipated by Lacy et al (Coding of moving picture and audio, ISO/IEC JTC1/SC29/WG11/N2614, MPEG 98, December, 1998).

As per claim 1 & 13:

Lacy et al teaches an information processing method/ apparatus for de-multiplexing (Demux, Fig. 3) object streams (Fig. 3, Audio & OD DB) from a data-stream (DMIF) which including a plurality of object streams each having predetermined information, and decoding, synthesizing, and outputting each of the object streams, comprising:

a) An authentication step of authenticating the object stream (page 6, paragraph 1); and

b) A control step of controlling playback of the object stream in accordance with an authentication result of said authentication step (page 6, paragraph 2),

wherein said control step includes a step of determining in accordance with an authentication method whether or not the playback control is done before or after decoding of a predetermined object stream (page 7, paragraph 3).

As per claim 2 & 14:

Lacy et al teaches that the predetermined object stream has undergone high-efficiency coding (Fig. 3, conversion from DMIF to Audio and/or OD DB, encoded, page 6, paragraph 2).

As per claim 3 & 15:

Lacy et al teaches a control step includes a step of controlling playback of the predetermined object stream by stopping or executing decoding of the information that has undergone high-efficiency coding (Fig. 3, Audio/OD Decode & encoded, page 6, paragraph 2).

As per claim 4 & 16:

Lacy et al teaches that said control step includes a step of controlling playback of the predetermined object stream in accordance with an intellectual property management stream contained in the plurality of object streams (Fig. 3 & page 6, paragraph 2).

As per claim 5 & 17:

Lacy et al teaches a step of authenticating the predetermined object stream in accordance with the intellectual property management stream (Fig. 3 & IPMP System, page 6, paragraph 2 & 3).

As per claim 6 & 18:

Lacy et al teaches said authentication step includes a step of determining in accordance with a type of the intellectual property management stream whether the authentication is done before or after decoding of the predetermined object stream (page 7, paragraph 2 & 3).

As per claim 7, 19, 29 & 36:

Lacy et al teaches said authentication step includes a step of determining whether the authentication is done before or after decoding of the predetermined object stream, depending on whether or not inherent intellectual property information used in authentication is embedded in the predetermined object stream as a digital watermark (page 7, paragraph 2 & 3).

As per claim 8, 20, 25 & 32:

Lacy et al teaches the plurality of object streams is MPEG-4 bit-streams (page 5, paragraph 9).

As per claim 9 & 21

Lacy et al teaches said control step includes a step of controlling playback of the predetermined object stream by managing multi-thread processing in units of streams on the basis of the intellectual property management stream (Fig. 2, page 3, IPMP control, paragraph 4).

As per claim 10 & 12:

Lacy et al teaches a computer readable storage medium storing a program of information processing (Client, page, 4, paragraph 6).

As per claim 11 & 22:

Lacy et al teaches an information processing method/ apparatus for de-multiplexing object streams from a data-stream, which includes a plurality of object streams each having predetermined information (Fig. 2 & Object Descriptors, page 4, paragraph 5), scene description information for synthesizing information contained in the plurality of object streams (Fig. 2 & Scene Description, page 4, paragraph 5), and management information for managing a copyright of the information (IPMP, page, 4, paragraph 6), playing back each information, and synthesizing and outputting the information on the basis of the scene description information, comprising:

a) An authentication step of authenticating at least one object stream on the basis of the management information (page 6, paragraph 1); and

b) A control step of controlling playback of the object stream in accordance with an authentication result of said authentication step/means (page 6, paragraph 2),

wherein said control step includes a step of determining in accordance with an authentication method whether the playback control is done before or after decoding of the object stream (page 7, paragraph 3).

As per claim 23 & 30:

Lacy et al teaches an information processing method/ apparatus comprising:

a) An input step of inputting encoded information data (Fig. 3, Audio/OD DB), and management data used to protect an intellectual property right of the information data (Fig. 3, IPMP DB);

b) A discrimination step of discriminating an authentication method for the information data on the basis of the management data (page 6, paragraph 1); and

c) A control step of making playback control of the encoded information data (page 6, paragraph 2),

wherein said control step includes a step of controlling in accordance with a discrimination result of the discrimination step whether the playback control in the control step is done before or after decoding of the information data (page 7, paragraph 3).

As per claim 24 & 31:

Lacy et al teaches that a data-stream containing a plurality of object streams each having predetermined information (Fig. 3, conversion from DMIF to Audio and/or OD DB, encoded, page 6, paragraph 2).

As per claim 26 & 33:

Lacy et al teaches that IPMP data complying with the MPEG-4 standards (page 3, paragraph 1).

As per claim 27 & 34:

Lacy et al teaches that the information data is image data (content includes visual information, page, 5, paragraph 9).

As per claim 28 & 35:

Lacy et al teaches that the information data is audio data (content includes audio information, page, 5, paragraph 9).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Eleftheriadis et al. USP 6,092,107

This patent pertains to a system and method for interfacing MPEG-coded audiovisual objects permitting adaptive control.

b. Reinold et al. USP 6,335,768

This patent pertains to a method and system for broadcasting digital audio and video to an analog wireless device.

c. Tewfik et al. USP 6,226,387

This patent pertains to a method and apparatus for scene-based video watermarking.

-Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for After Final or Official or Formal communications)

(703) 746-7240, (for Non-Official or Informal or "DRAFT" communications)

Hand delivered responses should be brought to:

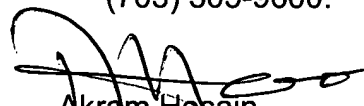
Crystal Park II, 2121
Crystal Drive, Arlington, VA

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akram Hosain whose telephone number is (703) 305-0713. The examiner can normally be reached on 8:45-5:15 M-F.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (703) 305-9595.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Akram Hosain
Patent Examiner
Art unit #2133
26 November 2003



EMMANUEL L. MOISE
PRIMARY EXAMINER
H/U 2133